

Serial No. 10/784,409
10751/CAR017345

REMARKS:

Claims 1-7 are presently pending in the application. Claims 8 and 9 have been cancelled, and claim 1 has been amended to include the limitations of claims 8 and 9. Claims 4, 5 and 7 are withdrawn, but would be allowable if the base is allowable. Claim 6 is allowed.

The drawings were objected to for failing to show the member and pin of claims 8 and 9, respectively. Claim 1 has been amended to include the limitation of these claims. The pin is described in paragraph 16 of the specification. The flow device 30 is "schematically supported by a pin." The pin is labeled in Figures 2, 4 and 5 in the annotated attached drawing sheet. No amendment to the drawings is necessary since the pin is, indeed, shown in the Figures.

Claim 1 includes the limitations of claims 8 and 9. Claim 9 was rejected under §103 over Aaron alone. The Examiner argues that the stop 43 is "an obvious equivalent to the claimed pin." First, this is an unsupported conclusion. The Examiner must establish a motivation to modify the structure of Aaron, which he has failed to do. Second, it appears that the Examiner is confusing the element numbers in Aaron. Element 42 is a stop or plate with a central aperture. Element 43 is an axially extending annular flange that provides the essential aperture in the stopper plate 42. Element 44 is a stop or annular flange that extends in a radial direction. Elements 42-44 are shown in cross-section in Figure 4 of Aaron. A pin is an elongated peg or bar. The elements 42-44 do not satisfy the definition of a pin.

In order to support and obviousness rejection using Aaron, the Examiner must provide a suggestion or motivation to modify the elements 42-44, for example. Since the elements 42-44 cooperate to alter the flow through the passages 47-49 of device 46, one of ordinary skill would not be motivated to modify the elements 42-44 with a pin. The elements 42-44 do not suspend a flow device within the passages. The Examiner appears to have argued in his §102(b) rejection that the element 42 supports a flow device 43. However, element 42 is not a pin but an annular plate. Further, replacing the element 42 with a pin would destroy the benefit and very purpose of element 42 since element 42 blocks the flow through passages 47 and 49.

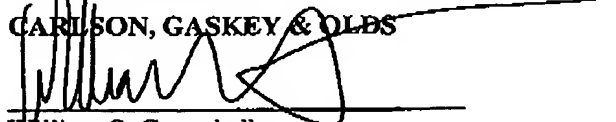
For at least the above reasons, the rejection of amended claim 1 is improper and must be withdrawn.

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For the reasons set forth above, Applicant submits that the pending claims in the application are allowable. Applicant respectfully solicits allowance of these claims. If any fees or extensions of time are required, please charge to Deposit Account No. 50-1482.

Respectfully submitted,

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